Astro Digital US, Inc.
3171 Jay St
Santa Clara, CA 95054

15 July 2019

Secretary
Office of the Secretary
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, D.C. 20554

Subject: IB Docket No. 18-313

To whom it may concern,

At the request of the International Bureau ("Bureau") and in an abundance of caution, Astro Digital US, Inc. ("Astro Digital") hereby submits this letter in the above-referenced proceeding. On June 20, 2019, in response to an inquiry from Karl Kensinger of the Bureau regarding a filing submitted in the above-referenced proceeding, I, Chris Biddy, CEO of Astro Digital, sent an email containing the following information, which the Bureau has stated is relevant to the above-referenced proceeding:

"With respect to any potential environmental impact, the Apollo Fusion team has put significant effort into ensuring compliance with all environmental regulations with respect to their propulsion system and *REDACTED*. Apollo management has taken a proactive approach to this by meeting with government agencies, launch providers and range safety officials. We [Astro Digital] work together with Apollo Fusion for all satellite "system-level" requirements since we rely on them for all propulsion system details while we are the experts on the rest of the satellite. Our efforts have resulted in passing all pre-requisite tests for DOT certification under 49 CFR 173.164c for shipping the complete satellite (with the fueled propulsion system integrated), by air to the launch site. Our next step is submitting an information package to the launch provider that will go into the FAA launch license application since we are launching on a US vehicle. Our understanding is that as part of the launch license process both a safety review and environmental review is conducted (CFR 415 Subpart C or F depending on the launch range and CFR 415 Subpart G) which requires disclosure of all payload propellants (415.105 (b)) as well as other various technical details of the mission. Since we do not apply for the launch license directly ourselves, we provide all required information to the launch provider who then conveys it to the FAA as part of the overall launch license application package."

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The redacted portion of the e-mail is subject to a request for confidential treatment in another proceeding. Attached is a request for confidential treatment regarding that information for inclusion in this docket as well.

Sincerely,

/s/

Chris Biddy

Enclosure

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Astro Digital US, Inc. -- Application for Experimental Authorization (FCC Part 5)

Request for Confidential Treatment (revised July 15, 2019) [1]

Astro Digital US, Inc. ("Astro Digital"), pursuant to Sections 0.457 and 0.459 of the Commission's rules, 47 C.F.R. §§ 0.457 and 0.459, hereby requests that certain information submitted in connection with its application be treated as confidential and not subject to public inspection. The designated information constitutes confidential and highly sensitive information that, if subject to public disclosure, would cause significant commercial and competitive harm. As described below, Astro Digital's request satisfies the standards for grant of such requests set forth in Sections 0.457 and 0.459 of the Commission's rules. It would also adversely affect U.S. law enforcement and security interests generally.

In accordance with Section 0.459(b) of the Commission's rules and in support of this request, Astro Digital provides the following information:

1. Identification of the specific information for which confidential treatment is sought.

The specific information which requires confidential treatment relates to the specific propellant and propellant system characteristics associated with Apollo Fusion's ACE electric propulsion system, which is the subject of the proposed experimentation and testing. The technical data provided in the FCC Form 442, as well as the information contained in the application Narrative and Technical Appendix, can be made publicly available. This confidentiality request itself does not contain any confidential information and, therefore, can also be made publicly available.

2. Identification of the Commission proceeding in which the information was submitted or a description of the circumstances giving rise to the submission:

The confidential information is submitted in connection with Astro Digital's application for an FCC Part 5 experimental authorization.

3. Explanation of the degree to which the information is commercial or financial, or contains a trade secret or is privileged:

Information relating to propellant and propellant system characteristics is highly proprietary and commercially sensitive. It includes confidential information concerning the application of Apollo Fusion's technology, including design and implementation strategies, that are otherwise uniformly subject to strict non-disclosure agreements. Disclosure of such

[1] This revised request for confidential treatment (filed July 15, 2019) supersedes the previously filed version of the request for confidential treatment (filed April 19, 2019).

information would cause irreparable injury and substantial harm to Apollo Fusion's ongoing business operations and competitive position.

4. Explanation of the degree to which the information concerns a service that is subject to competition:

The information contained herein includes information of a highly confidential and proprietary nature relating to the development of technology for commercial satellite propulsion systems. This is a highly competitive industry and the inadvertent release of any private technical design or implementation information would have a severe negative impact on Apollo Fusion's competitive position in the marketplace.

5. Explanation of how disclosure of the information could result in the substantial competitive harm:

The disclosure of the substantive propellant and propellant system characteristics could have an extremely negative impact on Apollo Fusion's ongoing business operations and competitive position. Proprietary information developed by Apollo Fusion will be used to extend the benefits of electric propulsion to the smallsat industry. Even limited information regarding the propellant and propellant system characteristics, which have never been confirmed publicly by Apollo Fusion and are subject to strict confidentiality provisions, could be used to severely undermine Apollo Fusion's first-mover advantage and must not be shared with competitors.

6. Identification of any measures taken by the submitting party to prevent unauthorized disclosure:

The information relating to the propellant and propellant system characteristics has not been authorized by Apollo Fusion for public disclosure in any form and Apollo Fusion takes all commercially necessary steps to prevent this information from being disclosed to the public. Apollo Fusion and Astro Digital have made this information available only to a small selection of people directly related to the project, and only on a need-to-know basis and subject to strict non-disclosure provisions. Astro Digital is also required under contractual confidentiality provisions not to disclose the confidential information unless authorized by Apollo Fusion or required by law.

7. Identification of whether the information is available to the public and the extent of any previous disclosure of the information to third parties:

The information relating to the propellant and propellant system characteristics that is subject to this request for confidential treatment has not been made available to the public by Apollo Fusion. Apollo Fusion and Astro Digital take all commercially necessary steps to prevent the information from being disclosed to the public. Only those persons or entities directly involved in the project are privy to the subject proprietary information, and only after any such part has executed a non-disclosure agreement.

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8. Justification of the period during which the submitting party asserts that material should not be available for public disclosure:

Astro Digital requests that the information relating to the propellant and propellant system characteristics be kept confidential indefinitely. Such a period is justifiable in light of the substantial competitive and technology transfer concerns inherent in the commercial satellite and propulsion system manufacturing industries.